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3/28/03
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Renne M.F. Wyzykowski
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Applicant : Charles A. Milligan
Application No. : 09/990,903
Filed : November 16, 2001
Title : FRICTION DRAWER SLIDE
Grp./Div. : 3637
Examiner : Gerald A. Anderson
Docket No. : 45419/DMC/S584

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

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Post Office Box 7068
Pasadena, CA 91109-7068
March 12, 2003

Commissioner:

In the Office action mailed December 12, 2002, applicant is required under 35 U.S.C. § 121 to elect a single disclosed species for prosecution on the merits. The Office Action states that the application contains claims directed to distinct species of the claimed invention: a species of the embodiment of FIG. 3, a species of the embodiment of FIG. 5 for an inner lock, and a species of the embodiment of FIG. 8, a species of the embodiment of FIG. 9, and a species of the embodiment of FIG. 10 for an outer lock. The Office Action further states that if the species of FIG. 3 is elected, one of FIGS. 4a, 4b and 4c must be elected.

The Examiner graciously spoke with Joel Kauth of this office several weeks ago and the undersigned today regarding the restriction requirement. During the phone conversations the restriction

requirement was discussed to provide Applicant's representatives a fuller comprehension of the requirement in view of the restriction requirement mailed October 22, 2002. It is our understanding that the restriction requirement mailed December 12, 2002 is for election of a species of a slide having an inner lock mechanism and an outer lock mechanism, with the various potential inner lock and outer lock mechanisms as indicated in the restriction requirement.

During the call today the undersigned understood that the Examiner would also be willing to accept elections to figures not mentioned in the Office action of December 12, 2002. In view of this understanding on the part of the undersigned, the election as provided in the following paragraph is desired. An alternative election more in accordance with the Office action of December 12, 2002 is also provided. The alternative election is provided only as a matter of completeness in responding to the Office action. In the event the election in the following paragraph is acceptable to the Examiner the alternative election should be considered to be not made.

The application discusses a friction drawer slide, such as one having cross-section as in Figure 1 of the application. The application also discusses a number of lock and/or detent mechanisms, some of which may be considered lock-in mechanisms (holding slide members in an unextended position) and some of which may be considered lock-out mechanisms (holding slide members in an extended position). It is applicant's preference that claims in the application initially be pursued with respect to the embodiment of FIG. 7. The embodiment of FIG. 7 is useful, for example, with the slide shown in cross-section in FIG. 1. The mechanism of FIG. 7 may be viewed as a lock-out type of mechanism. The claims pertinent to the embodiment of FIG. 7 include claims 1, 2, 4, 5, 7, 8, 12, 13.

An alternative election is provided below. The alternative election should only be considered if the Examiner believes the foregoing election is not responsive to the Office action of

Application No. 09/990,903

December 12, 2002. In the event that the Examiner believes that the foregoing election is not responsive, and only in such an event, the species of FIG. 3 (and FIG. 4a) of an innerlock and of the species of Figures 8 and 9 for the outer lock are elected. Applicant understands that claims 14-20 and 22-24 are constant with the alternative election.

The election is made without traverse. If there are any questions regarding this election, the Examiner is respectfully requested to call the undersigned.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By



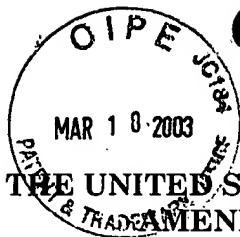
Daniel M. Cavanagh

Reg. No. 41,661

626/795-9900

DMC:rmw

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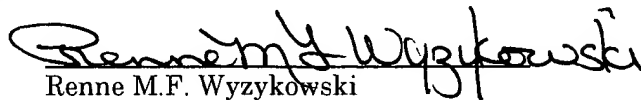


3637

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
AMENDMENT TRANSMITTAL LETTER

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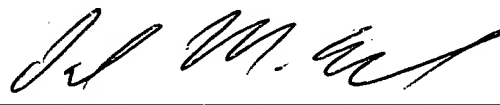
Post Office Box 7068
Pasadena, CA 91109-7068
March 12, 2003

Enclosed is an amendment to the above-identified application. Also, a Petition for Extension of Time and the required fee are enclosed.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by or to give effect to this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. **A copy of this letter is enclosed.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 

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626/795-9900

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